



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GROVER SELLERS  
ATTORNEY GENERAL

Honorable C. J. Wilde  
County Auditor, Nueces County  
Corpus Christi, Texas

Dear Sir:

Opinion No. 0-5987  
Re: Interpretation of Article 2326d,  
Vernon's Annotated Civil  
Statutes.

The essential portions of your recent request for an opinion of this department are as follows:

"\* \* \* In this connection, this office would also like your opinion with reference to Article 2326d, which reads in part as follows:

"The salary of the official short-hand reporter in each judicial district composed of four counties in this State, with the population of said four counties totalling in the aggregate, in excess of one hundred thousand (100,000) population according to the last preceding Federal Census, and which alone constitute one or more judicial districts, in addition to the compensation of transcript fees as provided by law, shall be Three Thousand (\$3,000.00) dollars per annum to be paid as the salaries of other court reporters are paid."

"The Criminal District Court in this County also covers Kleberg, Kenedy, Willacy and Cameron Counties, and any four of the counties comprising such judicial district meet the aggregate population requirement and other requirements enumerated in such article. We should like to know whether this County should not pay the reporter for this Court on the basis of \$3,000.00 as provided in said Article 2326d. \* \* \*

By Acts of 1925, 39th Legislature, page 244, Chapter 79, paragraph 1, (Article 199, Sec. 28, Subdivisions 1 to 8, inclusive, Vernon's Annotated Civil Statutes) the Legislature "continued as established for the counties of Nueces, Kleberg, Kenedy, Willacy and Cameron a criminal district court," which is the same as referred to in your communication. It will be noted that five (5) counties compose the judicial district in which said court has jurisdiction. Thus, said five counties alone compose said judicial district.

Article 2326d, Vernon's Annotated Civil Statutes, hereinabove quoted from your letter and therein referred to as Article 2326d, applied only to the salary of the official shorthand reporter in each judicial district composed of four counties, with an aggregate excess population as therein set forth, and which four counties "alone constitute one or more judicial districts." (Emphasis ours)

It is obvious, therefore, that the provisions of said Article 2326d, Vernon's Annotated Civil Statutes, have no application to the salary of the official shorthand reporter for the Criminal District Court for the counties of Nueces, Kleberg, Kenedy, Willacy and Cameron.

Article 2327a, Vernon's Annotated Civil Statutes, fixes the salary of the official court reporter in each judicial district composed of two or more counties at \$2,700 per annum, "in addition to the compensation for transcript fees and allowances for expenses as now provided by law."

You are, therefore, advised that the salary of the official shorthand reporter for the Criminal District Court of Nueces, Kleberg, Kenedy, Willacy and Cameron Counties is fixed and governed by the provisions of Article 2327a, supra.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

*L. H. Flewellen*  
L. H. Flewellen  
Assistant

*APPROVED MAY 11, 1944*  
*Samuel D. Williams*  
ATTORNEY GENERAL OF TEXAS  
LHF:EP